
Transportation Committee

HB 2636

Brief Description: Consolidating regional transportation agencies for efficiency and emergency evacuation planning purposes.

Sponsors: Representatives Anderson, Rodne and Dunn.

Brief Summary of Bill

- The Regional Transit Authority (RTA) is required to develop an integrated emergency evacuation plan in coordination with the state Emergency Management Division and local government units.
- RTA acquires all local public transportation systems within its boundaries, to conduct integrated transit planning, emergency evacuation planning, management, and administration.

Hearing Date: 1/17/06

Staff: David Bowman (786-7339).

Background:

State and Local Government Emergency Management Planning

The state Military Department (Military Department) administers a comprehensive program of emergency management in the state. The Adjutant General, director of the Military Department, is required to develop an "all hazard" comprehensive emergency management plan including an analysis of the natural, technological, or human-caused hazards that could affect the state. The Adjutant General must verify local emergency management plans' consistency with the state plan. With the Governor's approval, the Adjutant General may agree with federal officials on an emergency management plan for federally owned areas within the state.

The Emergency Management Council (Council) is a 17-member council appointed by the Governor to advise the Governor and the Adjutant General on state and local emergency management matters. The Council includes representatives from various state and local agencies as well as emergency medical personnel and private industry. Among other duties, the Council must ensure the Governor receives an annual assessment of state-wide emergency preparedness that considers numerous factors.

The Emergency Management Division (EMD) is a division of the Military Department. EMD coordinates emergency management programs with local governments, public agencies, private organizations, businesses, communities, and individuals to prepare for, respond to, and recover from emergencies. The EMD Director, reporting directly to the Adjutant General, provides oversight for all the EMD's programs and activities and serves as liaison with emergency management partners at the local, state and federal levels.

Each county, city, and town must establish a local organization or join a joint local organization for emergency management. Each local organization must submit an emergency management plan to the Adjutant General for recommendations and verification of consistency with the state plan. No county, city or town may be required to include in its local plan any provision for emergency evacuation or relocation of residents in anticipation of nuclear attack.

In the event of a disaster beyond local control, the Governor, through the Adjutant General, may assume operational control over all or any part of emergency management functions in the state. In addition to utilizing state and local agencies and employees for emergency response, the Governor and the chief executives or emergency management directors of counties, cities, and towns have authority to impress citizens into emergency management service if the Governor proclaims a disaster.

Effective July 1, 2006, the Regional Transit Authority (RTA–Sound Transit) is required to develop and implement a safety and security plan, which must describe the authority's procedures for (a) reporting and investigating reportable accidents, unacceptable hazardous conditions, and security breaches, (b) submitting corrective action plans and annual safety and security audit reports, (c) facilitating on-site safety and security reviews by the state department of transportation, and (d) addressing passenger and employee security. The RTA is not, however, required to develop an emergency evacuation plan or coordinate its emergency planning activities with the EMD, county transportation agencies, or county emergency management services.

The Office of the Superintendent for Public Instruction is not currently required to develop an integrated emergency evacuation plan in connection with student transportation programs. The operation of each school district's student transportation program is the responsibility of the district's board of directors.

Currently, no centralized inventory is established or maintained by the Department of Transportation of all publicly owned heavy equipment that could be used to open transportation corridors into the region after a catastrophic event.

Regional Transit Authority Governance and Revenue Authority

Two or more contiguous counties each having a population of four hundred thousand persons or more may establish an RTA to develop and operate a high capacity transportation system. A high capacity transportation system is an urban public transportation system that operates principally on exclusive rights of way and provides a substantially higher level of passenger capacity, speed, and service frequency than traditional public transportation systems operating mainly on general purpose roadways.

RTA must be governed by a board consisting of representatives appointed by the county executive and confirmed by the legislative authority of each member county. Sound Transit is the RTA established by King, Pierce, and Snohomish counties.

One duty of RTA is to develop and adopt a system and financing plan which, among other things, identifies revenues expected to be generated by corridor and county, phasing of construction and operation of high capacity system facilities, and the degree to which revenues generated within each county will benefit the residents of that county including when such benefits will accrue.

RTA may impose a sales and use tax up to 1.0 percent to fund high capacity transportation projects.

Local Transit Agency Governance and Revenue Authority

Local transit agencies such as King County Metro, Community Transit, Everett Transit, the City Transportation Authority, and Pierce County Transit are established by and subject to separate statutory provisions. They are not subject to any centralized governance and instead have their own governing entities. Local transit agencies may impose a sales and use tax up to 0.9 percent upon voter approval.

Audit of Regional Transit Authority

The State Auditor is not expressly required to conduct a performance audit and evaluation of RTA.

Growth Management Act Comprehensive Plan

Enacted in 1990 and 1991, the Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. The GMA specifies numerous provisions for jurisdictions fully planning under the Act and establishes a reduced number of compliance requirements for all local governments. The Department of Community, Trade, and Economic Development is charged with providing technical and financial assistance to jurisdictions implementing the GMA.

Among other requirements, jurisdictions fully planning under the GMA (GMA jurisdictions) must adopt internally consistent comprehensive land use plans, which are generalized, coordinated land use policy statements of the governing body. Except as otherwise provided, comprehensive plans must satisfy requirements for the following elements, each of which is a planning subset of a comprehensive plan:

- land use;
- housing;
- capital facilities plan;
- utilities;

- rural;
- transportation;
- economic development; and
- park and recreation.

Although the six-year transportation plans required to be developed by counties and local public transportation providers must be consistent with the transportation element contained in the GMA, the GMA does not require that a county or city's comprehensive plan reflect emergency evacuation planning requirements.

Summary of Bill:

By January 1, 2007, RTA is required to develop an emergency evacuation plan (Plan), working jointly with the Emergency Management Division, county transportation agencies, and county emergency management agencies. The RTA shall report on its emergency evacuation plan to the Legislature by January 1, 2007.

The Plan must include the following at a minimum:

- designated and marked evacuation routes;
- high capacity evacuee relocation areas with basic shelter and support services;
- first responder rendezvous points;
- emergency bus service rendezvous points;
- emergency air service landing sites;
- fuel and maintenance support facilities;
- public health capacity and accessibility; and
- emergency management division physical and remote access to RTA dispatch systems.

RTA's buses and other fleet support and maintenance vehicles must be connected by an integrated geographic positioning system and satellite telecommunications network.

The Office of the Superintendent for Public Instruction must develop an integrated emergency evacuation and postdisaster transportation logistical support and rescue plan. Rejoining children with their parents after a catastrophic event must be a significant priority in the plan.

The Department of Transportation must establish an ongoing inventory of all publicly owned heavy equipment that may be used to open transportation corridors into the RTA area after a catastrophic event.

Regional Transit Authority - Modified Powers, Boundaries, & Duties

RTA is given the authority to acquire, operate, improve, and maintain local public transportation in addition to regional high capacity transportation. Within one year after the effective date of the bill, all local public transportation systems operated within RTA's boundaries shall be transferred to RTA. On the date of the transfer, the boundaries of RTA are county wide.

By six months after the transfer, the Public Employee Relations Commission (PERC) shall seek to reduce fragmentation among employee bargaining units.

Obsolete language relating to RTA's initial plan implementation is deleted from the RTA statute, such as eliminating the duty of the RTA to identify in its system and finance plan revenues expected to be generated by corridor and county, phasing of construction and operation of high capacity system facilities, and the degree to which revenues generated within each county will benefit the residents of that county including when such benefits would accrue.

RTA must defer any further expenditure on light rail until an integrated bus rapid transit system and emergency urban evacuation plan are implemented.

In addition to its other enumerated duties, RTA must form an advisory committee of cities within its jurisdiction.

RTA may impose a sales and use tax of up to 0.6 percent to fund local public transportation systems, and a sales and use tax of up to 0.4 percent to fund high capacity regional transit. Additionally, RTA may designate any city of the first class within its boundaries as a high density service zone, in which case, with approval of the voters, RTA may impose an additional 0.5 percent sales tax in the high density service zone for urban transit services.

Modified Governing Board of RTA

RTA's board will consist of the County Executives of King, Pierce, and Snohomish Counties, the Secretary of the Department of Transportation, the Director of the state Emergency Management Division and two representatives of the private sector appointed by the Governor. Major decisions of the board require a simple majority. Members will serve staggered six-year terms.

The RTA shall defer any further expenditure on light rail until an integrated bus rapid transit system and emergency urban evacuation plan are implemented.

State Auditor to Conduct Audits

The state auditor is directed to conduct a performance audit and evaluation of the Regional Transportation Commission and the Regional Transit Authority every four years. Specific items for review are provided.

GMA Comprehensive Plan to Include Emergency Evacuation Planning

A GMA jurisdiction's comprehensive plan must reflect the minimum elements required for the RTA's emergency evacuation plan.

Appropriation: None.

Fiscal Note: Requested on January 16, 2006.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.